

Calendar No. 42

106TH CONGRESS }
1st Session }

SENATE

{ REPORT
106–17

SAN JUAN COUNTY, NEW MEXICO

MARCH 16, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 293]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 293) to direct the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

S. 293, as ordered reported, directs the Secretaries of Agriculture and Interior to convey certain lands in San Juan County, New Mexico, to San Juan College.

BACKGROUND AND NEED

The purpose of this bill is to direct the Secretary of Agriculture to convey a ten acre parcel of land, including facilities located thereon, known as the “Old Jicarilla Administrative Site,” to San Juan College. The bill requires that the site continue to be used for public purposes, including educational and recreational purposes. The bill directs that consideration for the property shall be an amount consistent with the Recreation and Public Purposes Act. The Forest Service has determined that this site is of no further use to the agency, since the Jicarilla District Ranger moved into a new administratively facility in the town of Bloomfield, New Mexico. The facility has had no occupants for several years. The Forest Service reported to the general Services Administration that the improvements on the site were considered surplus, and would be available for disposal under its administrative procedures.

LEGISLATIVE HISTORY

S. 293 was introduced by Senators Domenici and Bingaman on January 21, 1999. An identical version of this bill (S. 2402) was considered by the Committee during the 105th Congress. The Subcommittee on Forests and Public Land Management held a hearing on S. 2402 on October 1, 1998; and the bill was favorably reported, as amended, on October 6, 1998. The bill passed the Senate on October 9, 1998, but no further action was taken in the House.

At the business meeting on March 4, 1999, the Committee on Energy and Natural Resources ordered S. 293 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATIONS OF VOTES

The Committee on Energy and Natural Resources, in open business session on March 4, 1999, by unanimous voice vote of a quorum present, recommendations that the Senate pass S. 293.

SECTION-BY-SECTION ANALYSIS

Section 1. Old Jicarilla Administrative Site

Section 1(a) states that, not later than one year after the date of enactment, the Secretaries of Agriculture and Interior shall convey San Juan College approximately ten acres known as the Old Jicarilla Administrative Site.

Subsection (b) states that exact acreage and legal description of the property conveyed shall be determined by a survey satisfactory to the Secretaries and the President of San Juan College, and that the cost of the survey shall be borne by San Juan College.

Subsection (c) provides that, notwithstanding exceptions under the Recreation and Public Purposes Act, conveyance shall be consistent with the Bureau of Land Management special pricing program for Government entities under the Recreation and Public Purposes Act and an agreement between the Secretaries and San Juan College indemnifying the United States for all liability. This subsection requires that the lands conveyed by this Act be used for educational and recreational purposes and states that, if the lands are not used for such purposes, at the option of the United States, such lands will revert to the United States.

Subsection (d) states that Public Order 3443 shall be revoked simultaneously with the conveyance of the property.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 10, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 293, a bill to direct the Sec-

retaries of Agriculture and the interior to convey certain lands in San Juan County, New Mexico, to San Juan College.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria Heid Hall (for federal costs) and Marjorie Miller (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 293—A bill to direct the Secretaries of Agriculture and the Interior to convey certain lands in San Juan County, New Mexico, to San Juan College

S. 293 would direct the Secretaries of Agriculture and the Interior to convey to San Juan College in Farmington, New Mexico, a ten-acre parcel of federal property, including improvements on the land. As consideration for the conveyance, the bill would require San Juan College to pay an amount consistent with the Bureau of Land Management's special pricing program for governmental entities under the Recreation and Public Purposes Act, and to indemnify the federal government from all liability arising from the property.

CBO estimates that enacting S. 293 would have no significant impact on the federal budget. Based on information from the Forest Service and San Juan College, we estimate that the college would pay less than \$1,000 to acquire the property, including improvements. The agencies do not have any plans to sell the land under current law. Because S. 293 would increase offsetting receipts, pay-as-you-go procedures would apply; however, we estimate that the impact on direct spending would be negligible.

S. 293 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but the costs of that mandate would be far less than the threshold established by that act (\$50 million per year in 1996, adjusted annually for inflation). The bill would require San Juan College, a public institution, to pay for a survey of the property to be conveyed. CBO estimates that this mandate would not impose substantial costs on the college. Any other costs that the college might incur as a result of this bill would be voluntary. S. 293 contains no new private-sector mandate as defined in UMRA.

The CBO staff contacts are Victoria Heid Hall (for federal costs) and Marjorie Miller (for the state and local impact). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 293. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 293, as ordered reported.

EXECUTIVE COMMUNICATIONS

On March 8, 1999, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 293. These reports had not been received at the time the report on S. 293 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 293, as ordered reported.

